

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RICHARD LIDDY, SR.

Plaintiff,

v.

WAYNE BAUMGART, et al.,

Defendant.

) **CASE NO. 1:07 CV 3165**
)
)
)
) **JUDGE DONALD C. NUGENT**
)
) **Magistrate Judge Kenneth S. McHargh**
)
) **ORDER**
)
)

For the reasons stated in the Memorandum Opinion filed contemporaneously herewith, the Court hereby ADOPTS the Report and Recommendation of Magistrate Judge McHargh (Document #16) in its entirety. Accordingly, the Motion to Dismiss filed by Defendants James Tavano, Joseph Megyesi, David Perez and John Fisher (Document #12) is GRANTED

The referral of this case to Magistrate Judge McHargh remains in effect as to the remaining Defendant, City of Kirtland.

IT IS SO ORDERED.

s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: April 28, 2008